

EXHIBIT 3

From: Ian B. Crosby <icrosby@SusmanGodfrey.com>
Sent: Tuesday, March 5, 2024 8:41 AM
To: Aaron.Macris@lw.com; Davida Brook <DBrook@susmangodfrey.com>; Ellie Dupler <EDupler@susmangodfrey.com>; Elisha Barron <EBarron@susmangodfrey.com>; Tamar Lusztig <TLusztig@susmangodfrey.com>; slieberm@rothwellfigg.com; Jennifer B. Maisel <jmaisel@rothwellfigg.com>; Kristen Logan <klogan@rothwellfigg.com>
Cc: openaicopyrightlitigation.lwteam@lw.com; openaicopyright@mofo.com; NYClassActions_Microsoft_OHS <NYClassActions_Microsoft_OHS@orrick.com>; Hurst, Annette L. <ahurst@orrick.com>; Cariello, Christopher J. <ccariello@orrick.com>
Subject: Re: The New York Times Company v. Microsoft Corporation, et al. - SDNY Case No 1:23-cv-11195-SHS

[EXTERNAL]

We disagree. We will comply with our preservation obligations and expect you to do the same.

—[Ian Crosby • Susman Godfrey LLP](#)

From: Aaron.Macris@lw.com <Aaron.Macris@lw.com>
Date: Tuesday, March 5, 2024 at 6:45 /span>AM
To: Ian B. Crosby <icrosby@SusmanGodfrey.com>, Davida Brook <DBrook@susmangodfrey.com>, Ellie Dupler <EDupler@susmangodfrey.com>, Elisha Barron <EBarron@susmangodfrey.com>, Tamar Lusztig <TLusztig@susmangodfrey.com>, slieberm@rothwellfigg.com <slieberm@rothwellfigg.com>, Jennifer B. Maisel <jmaisel@rothwellfigg.com>, Kristen Logan <klogan@rothwellfigg.com>
Cc: openaicopyrightlitigation.lwteam@lw.com <openaicopyrightlitigation.lwteam@lw.com>, openaicopyright@mofo.com <openaicopyright@mofo.com>, nyclassactions_microsoft_ohs@orrick.com <nyclassactions_microsoft_ohs@orrick.com>, ahurst@orrick.com <ahurst@orrick.com>, ccariello@orrick.com <ccariello@orrick.com>
Subject: The New York Times Company v. Microsoft Corporation, et al. - SDNY Case No 1:23-cv-11195-SHS

EXTERNAL Email

Counsel,

Please find attached correspondence from Andrew Gass.

Regards,

Aaron

Aaron Macris

Pronouns: he/him/his

LATHAM & WATKINS LLP

200 Clarendon Street | Boston, MA 02116

D: +1.617.880.4640

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